



Attorney Docket: 1252CIP3DIVCON6  
(203-833CIP3DIVCONVI)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: David T. Green et al. EXAMINER: Unassigned  
SERIAL NO.: 10/668,941 GROUP UNIT: Unassigned  
FILED: September 22, 2003 DATED: March 31, 2004  
FOR: SURGICAL STAPLING APPARATUS

Mail Stop: Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

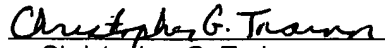
Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. Each of the foreign patent documents were previously cited in one or all of the following U.S. patent applications: Application Serial Nos. 10/096,497, 09/852,457, 09/487,111, 08/899,453, 08/242,798, 08/024,533, 07/949,685, 07/915,425, and 07/781,012. All of these applications have been relied upon for an earlier effective date under 35 U.S.C. § 120.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the Mail Stop: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 31, 2004.

Dated: March 31, 2004

  
Christopher G. Trainor

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e).
- ☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(ii).
- ☐ Enclosed by check is the petition fee of \$180.00. 37 C.F.R. §1.17(i)(1))
- ☐ Please charge the \$180.00 petition fee to Deposit Account No. 50-2140.

- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 50-2140.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or §1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 50-2140. Also, in the event any extensions of time for responding and/or a petition under 37 C.F.R. §1.17(i)(i) are required for the pending application(s), please treat this paper as a petition to extend the time and/or enter this Information Disclosure Statement as required and charge Deposit Account No. 50-2140 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,

*Christopher G. Trainor*

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Form PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.:

SERIAL NO.:

1252CIP3DIVCON6 (203-833)

10/668,941

APPLICANTS:

David T. Green et al.

FILING DATE:

September 22, 2003

GROUP ART UNIT:

3721

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		Re28,932	8/17/76	Noiles et al.			
		2,448,741	9/7/48	W. W. Scott et al.			
		3,079,606	3/5/63	B. S. Bobrov et al.			
		3,490,675	1/20/70	D. T. Green et al.			
		3,499,591	3/10/70	D. T. Green et al.			
		3,593,903	7/20/71	Astafiev et al.			
		3,633,874	1/11/72	Veugelers, Jr.			
		3,675,688	7/11/72	Bryan et al.			
		3,735,762	5/29/73	Bryan et al.			
		3,788,303	1/29/74	Hall			
		3,819,100	6/25/74	Noiles et al.			
		3,892,228	7/1/75	Mitsui			
		3,949,924	4/13/76	Green			
		4,086,926	5/2/78	Green et al.			
		4,111,206	9/5/78	Vishnevsky et al.			
		4,169,476	10/2/79	Hilterbrandt			
		4,207,873	6/17/80	Kruy			
		4,273,129	6/16/81	Boebel			
		4,383,634	5/17/83	Green			
		4,429,695	2/7/84	Green			
		4,520,817	6/4/85	Green			
		4,522,207	6/11/85	Klieman et al.			
		4,562,839	1/7/86	Blake, III et al.			

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449 [6-4])

Form PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.: 1252CIP3DIVCON6 (203-833)	SERIAL NO.: 10/668,941		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)				APPLICANTS:			
				David T. Green et al.			
				FILING DATE: September 22, 2003		GROUP ART UNIT: 3721	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,566,620	1/28/86	Green et al.			
		4,573,468	3/4/86	Conta et al.			
		4,575,622	3/11/86	Pellegrini			
		4,573,622	3/4/86	Green et al.			
		4,580,712	4/8/86	Green			
		4,606,343	8/19/86	Conta et al.			
		4,610,383	9/9/86	Rothfuss et al.			
		4,633,874	1/6/87	Chow et al.			
		4,671,445	6/9/87	Barker et al.			
		4,688,555	8/25/87	Wardle			
		4,714,187	12/22/87	Green			
		4,715,520	12/29/87	Roehr, Jr. et al.			
		4,728,020	3/1/88	Green et al.			
		4,754,909	7/5/88	Barker et al.			
		4,763,699	8/16/88	Corain et al.			
		4,784,137	11/15/88	Kulik et al.			
		4,819,853	4/11/89	Green			
		4,848,637	7/18/89	Pruitt			
		4,880,015	11/14/89	Nierman			
		4,941,623	7/17/90	Pruitt			
		4,944,443	7/31/90	Oddsens et al.			
		4,951,860	8/28/90	Peters et al.			
		4,955,959	9/11/90	Tompkins et al.			
		4,978,049	12/18/90	Green			
EXAMINER				DATE CONSIDERED			
* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

(Form PTO-1449 [6-4])



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APPLICANTS: David T. Green et al.		
FILING DATE: September 22, 2003		GROUP ART UNIT: 3721

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		1,352,554	5/8/74	UK				
		0,041,022	2/12/81	EP				
		0,324,166	7/19/89	EP				
		0,324,637	7/19/89	EP				
		0,365,153	4/25/90	EP				
		0,373,762	6/20/90	EP				
		0,399,701	11/28/90	EP				
		0 552 423	7/1993	EP				
		0 552 050	7/1993	EP				
		0 593 920	4/1994	EP				
		0 603 472	6/1994	EP				

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER	DATE CONSIDERED
* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

(Form PTO-1449 [6-41])